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## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MILBANK 1551 NICHOLAS, LLC and MILBANK 272 SHERMAN, LLC,

Plaintiffs,

-against-

1551 ST. NICHOLAS, LLC, 272 SHERMAN, LLC, and FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK, as Escrow Agent,

Defendants.

Docket No. 07 Civ. 9834(JGK)(MHD)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the parties hereby that the time of defendants to answer, move or otherwise respond with respect to the summons and complaint is extended to January 28, 2008; and

IT IS HEREBY FURTHER STIPULATED AND AGREED that this stipulation may be signed in counterpart and that copies of the signatures shall be deemed to be original.

Dated: New York, New York January 10, 2008

BROWN RUDNICK BERLACK ISRAELS LLP

Molton (DM-1106)

Diane M. Nardi (DN-7472) Attorneys for Plaintiffs

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Dated: January 7, 2008

SO ORDERED: